

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TERRY ALFRED COXE,

Petitioner,

V.

PATRICK GLEBE,

Respondent.

CASE NO. C16-5450 BHS-JRC

REPORT AND RECOMMENDATION

NOTED FOR: JULY 8, 2016

The District Court has referred this petition for a writ of habeas corpus to United States
District Judge J. Richard Creatura. The Court's authority for the referral is 28 U.S.C. §
(1)(A) and (B), and local Magistrate Judge Rules MJR3 and MJR4. Petitioner filed the
petition pursuant to 28 U.S.C. § 2254.

This is a federal habeas action filed under 28 U.S.C. § 2254. On June 8, 2016, petitioner submitted an application seeking leave to proceed with this action *in forma pauperis*. Dkt. 1. Petitioner, however, paid the \$5.00 filing fee on June 9, 2016.

The Court recommends that petitioner's application to proceed *in forma pauperis* (Dkt. 1) be **DENIED** as **MOOT**.

1 Pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b), the parties shall have
2 fourteen (14) days from service of this Report to file written objections. *See also* Fed. R. Civ. P.
3 6. Failure to file objections will result in a waiver of those objections for purposes of *de novo*
4 review by the district judge. *See* 28 U.S.C. § 636(b)(1)(C). Accommodating the time limit
5 imposed by Fed. R. Civ. P. 72(b), the clerk is directed to set the matter for consideration on **July**
6 **8, 2016** as noted in the caption.

7 Dated this 14th day of June, 2016.

8 
9

10 J. Richard Creatura
United States Magistrate Judge

11
12
13
14
15
16
17
18
19
20
21
22
23